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**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

SHANNON T. REYNOLDS

Plaintiff,

v.

NGHIEM THI HUONG MAI, individually,

Defendant.

Case No. 2:23-cv-1688

**COMPLAINT FOR
COPYRIGHT INFRINGEMENT**

JURY TRIAL DEMANDED

Plaintiff, SHANNON T. REYNOLDS (“REYNOLDS”) hereby files this Complaint for, inter alia, copyright infringement, trademark infringement, and related claims against Defendant NGHIEM THI HUONG MAI, on personal knowledge as to Plaintiff’s own activities and on information and belief as to the activities of others:

PARTIES

1. NGHIEM THI HUONG MAI is an individual, whose principal place of business is in Vietnam.
2. NGHIEM THI HUONG MAI operates an Amazon Store with ASIN B0C9CPR3V8.
3. NGHIEM THI HUONG MAI has consented to the Jurisdiction of the Federal Court located in the Judicial district where the business is located or in any district where Amazon may be found.
4. Upon information and belief the Defendant are engaged in business of selling novelty items, including but not limited to stickers and similar items to consumers throughout the United States.

JURISDICTION AND VENUE

5. This action arises out of the U.S. Copyright Laws, 17 U.S.C. §501 et seq.
6. This court has subject matter jurisdiction over the action pursuant to 17 U.S.C. §501 (a) and 28 U.S.C. § 1331.
7. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 and 1400 because the Defendant conduct business within this judicial district, it or its agents or affiliates can be found in this judicial district, and acts giving rise to this complain are believed to have occurred within this judicial district.
8. Defendant in filing “Counter Notices” with Amazon.com expressly consented to the jurisdiction of “any judicial district in which Amazon may be found.”

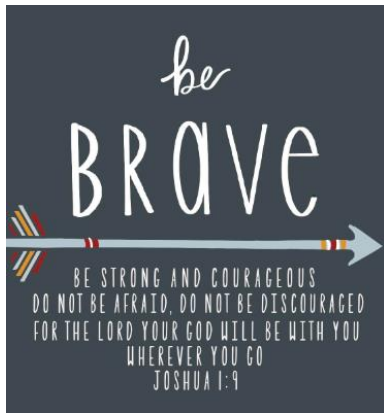
FACTS

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2 9. Plaintiff, Reynolds, is an artist who has been creating, designing, and manufacturing her
3 artistic work since 2019. Her original inspiration to create designs came from designing
4 custom stickers for her daughter. Her daughters requested specific messages to be placed on
5 their water bottles. These designs drew envy and attention from her daughters' peers, who
6 asked for a place where Reynolds' designs could be purchased. That was the impetus for
7 Reynolds' opening up an Etsy shop in 2019 to share her designs with others. Since opening
8 her store Reynolds has created hundreds of unique designs. Her collection of unique designs
9 expanded to include journals, coffee mugs, magnets, tote bags, greeting cards, notepads,
10 wooden signs, tea towels and hooded sweatshirts. Since then, she has opened her own
11 website, and has sold her products over Amazon.com. Additionally, Reynolds' items have
12 sold at over 500 brick-and-mortar stores across the United States.
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16 10. Reynolds' designs, that carry inspirational messages are loved by consumers throughout
17 the United States. She has earned 5-star reviews.

18 11. Reynolds has made her drawings upon her own inspirational designs employing an
19 Apple iPad with Procreate software, and using an Apple pencil. Additionally, Reynolds would
20 employee old-school methods, such as using a quill pen, watercolor paints, and markers. All
21 of Reynolds' designs are originals, and are kept on her private server.
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23 12. Among some of her designs are Christian-themed messages with quotes from the Bible.
24 For example:
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These images are created with Procreate software:



1
2 13. Plaintiff Reynolds has applied for and obtained copyright registrations on her various
3 designs (Registration Number VA0002204522/May 5, 2022)

4 14. Defendant are also engaged in the business of selling their items over Amazon.com.
5 Among the various items they sell are ones resembling and representing several of Reynolds'
6 copyrighted designs. Attached as Exhibit A are true and correct images of the stickers made,
7 distributed and sold by DEFENDANT.
8

9 15. Without Plaintiff Reynolds' advance knowledge or consent, DEFENDANT copied and
10 utilized Reynolds' copyrighted designs in making, distributing and selling their own line of
11 stickers and other items bearing Reynolds' copyrighted designs. Their products are virtually
12 identical in design and appearance to the copyrighted ones previously designed,
13 manufactured, distributed and sold by Reynolds.
14

15 16. Reynolds has notified Amazon.com, thereby placing DEFENDANT on notice that that
16 DEFENDANT's products infringe on Reynolds' copyrights.
17

18
19 **CAUSE OF ACTION**
20 **COPYRIGHT INFRINGEMENT ALL DEFENDANT**

21
22 17. Reynolds incorporates the allegations made in paragraphs 1-15 as if fully set forth
23 herein.

24 18. Defendant committed copyright infringement under 17 U.S.C. § 501 et. Seq., directly,
25 by inducement, or by way of contributory liability, by knowingly aiding, causing or
26 committing, the unauthorized practice or execution of one or more exclusive rights owned by
27 Alpi set forth in 17 U.S.C. § 106, said exclusive rights having been perfected by U.S.
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29

Copyright Registration VA0002204522.

19. On information and belief, Defendant' direct and induced infringements are and have been knowing and willful. By this unlawful copying, use, and distribution, Defendant have violated REYNOLDS' exclusive rights under 17 U.S.C. § 106.

20. Defendant have realized unjust profits, gains and advantages as a proximate result of their infringement.

21. Reynolds is entitled to an injunction restraining Defendant from engaging in any further such acts in violation of the United States copyright laws. Unless Defendant are enjoined and prohibited from infringing Reynolds' copyrights, inducing others to infringe Plaintiff's copyrights, and unless all infringing products and advertising materials are seized, Anga will continue to intentionally infringe and induce infringement of Plaintiff's registered copyrights.

22. As a direct and proximate result of Defendant' direct and indirect willful copyright Infringement, REYNOLDS has suffered, and will continue to suffer, monetary loss to its business, reputation, and goodwill.

23. Plaintiff is entitled to recover from Defendant, in amounts to be determined at trial, the damages REYNOLDS has sustained and will sustain, and any gains, profits, and advantages obtained by Defendant as a result of Defendant' acts of infringement and Defendant' use and publication of the copied materials.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, Reynolds prays for the following relief:

- A) An order entering judgment in favor of Reynolds and awarding damages to Reynolds in the amount of Reynolds' actual damages and any profits of the Defendant attributable to the infringing acts alleged herein, consistent with 17 U.S.C. § 504(a)(1), or, upon

election, an award of statutory damages consistent with 17 U.S.C. § 504(a)(2) together with prejudgment and post-judgment interest;

B) An order permanently enjoining All Defendant, their officers, agents, servants, employees, attorneys and affiliated companies, their assigns and successors in interest, and those persons in active concert or participation with it, from continued acts of infringement of the copyrights at issue in this litigation.

C) An order that all copies made or used in violation of Plaintiff's copyrights, and all means by which such copies may be reproduced, be impounded and destroyed or otherwise reasonably disposed of;

D) An award of full costs and reasonable attorney's fees against Defendant and in favor of Reynolds pursuant to 17 U.S.C. § 505;

E) Any and all other legal and equitable relief as may be available under law and which the Court may deem just and proper.

JURY DEMAND

Plaintiff Reynolds demands a trial by jury for all issues so triable.

Dated this 5th Day of November 2023

Respectfully submitted,

/s/Maxim Lissak

Maxim Lissak, WSBA No. 49605
Attorney for Plaintiff

EXHIBIT A

Copyright Catalog (1978 to present)
 Search Request: Left Anchored Title = swaygirls
 Search Results: Displaying 1 of 1 entries



Labeled View

swaygirls.

Type of Work: Visual Material
Registration Number / Date: VA0002204522 / 2020-05-22
Application Title: swaygirls
Title: swaygirls. [Group registration of published photographs.. 2019-01-01 to 2019-10-10]
Description: photographs : electronic file.
Copyright Claimant: Shannon Reynolds. Address: 9101 125th Ave NE, Kirkland, WA, 98033, United States.
Date of Creation: 2019
Publication Date Range: 2019-01-01 to 2019-10-10
Authorship on Application: Swaygirls, pseud. of Shannon Reynolds; Domicile: United States; Citizenship: United States. Authorship: photographs.
Rights and Permissions: swaygirls
Copyright Note: C.O. correspondence.
 Regarding title information: Deposit contains complete list of titles that correspond to the individual photographs included in this group.
 Regarding group registration: A group of published photographs may be registered on one application with one filing fee only under limited circumstances. ALL of the following are required: 1. All photographs (a) were created by the same author AND (b) are owned by the same copyright claimant AND (c) were published in the same calendar year AND 2. The group contains 750 photographs or less AND 3. A sequentially numbered list of photographs containing the title, file name and month of publication for each photograph included in the group must be uploaded along with other required application materials. The list must be submitted in an approved document format such as .XLS or .PDF. The file name for the numbered list must contain the title of the group and the Case Number assigned to the application.
Photographs: il_794xN.2314651147_85lt (2)
Names: [Reynolds, Shannon](#)
[Swaygirls](#)